IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.87 OF 2005

Pradeep Subrav Waghmare ...Applicant

Versus

State of Maharashtra ...Respondent

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Mr.Uday P.Warunjikar for Applicant.

Mr.A.S.Gadkari, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

JANUARY 19, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. There is overwhelming material to connect the Applicant with the offence in question. The argument that it is not a case of murder, but at best, a case of suicide, clearly overlooks the medical evidence, which has come on record. Doctors have certified that the death was due to

throttling and the burn injuries suffered by the victim, were post-mortem burn injuries. When the Applicant was arrested, the panchnama was drawn. It indicates that the clothes worn by the Applicant at the relevant time, were stained with kerosene and smelling of kerosene. Besides, Mr.Gadkari, learned A.P.P. has rightly invited my attention to the statement of the brother of the Applicant, who has stated that the Applicant, on his own, informed him at around 5.00 p.m. that his wife has committed suicide. All these circumstances, for the time being, clearly indicate the complicity of the Applicant in the commission of the offence. I see no reason to depart from the conclusion otherwise recorded by the lower Court in rejecting the bail application. Not a case for bail. Hence, rejected.

A.M.KHANWILKAR, J.